

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed January 25, 2005. Upon entry of the amendments in this response, claims 1, 3, 4, 6, 7, 9, 10 and 12 – 19 remain pending. In particular, Applicants have amended claims 1, 3, 4, 6, 7, 9, 10, 14 and 17, and have canceled claims 2, 5, 8, 11 and 20 - 24 without prejudice, waiver, or disclaimer. Applicants have canceled claims 2, 5, 8, 11 and 20 - 24 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Rejections Under 35 U.S.C. §112

The Office Action indicates that claims 2, 3 and 11 stand rejected under 35 U.S.C. §112, second paragraph, for failing to point out and distinctly claim the subject matter which applicant regards as the invention. With respect to claims 2 and 11, Applicants have canceled these claims and respectfully assert that the rejection as to these claims has been rendered moot. With respect to claim 3, Applicants have amended this claim and respectfully assert that the rejection has been accommodated.

Rejections Under 35 U.S.C. §102

The Office Action indicates that claims 1 - 24 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Chen*. The Office Action also indicates that claims 1 – 24 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Rangarajan*, and that claims 1 – 4, 6, 8 – 15, 17, 18, 20, 21, 23 and 24 stand rejected under 35 U.S.C. §102(b) as being

anticipated by *Brohoff*. With respect to claims 2, 5, 8, 11 and 20 – 24, Applicants have canceled these claims and respectfully assert that the rejection as to these claims has been rendered moot. With respect to the remaining claims, Applicants respectfully traverse the rejections.

With respect to *Chen*, that reference generally relates to a system and method for content distillation in which targeted content delivery is based on a user's location. However, there is no teaching or suggestion in *Chen* of obtaining the user's location by determining a cell with which the user is associated when the content is to be delivered to the user with other than a cell phone. This is in direct contrast to the limitations recited in Applicants' amended claims.

With respect to *Rangarajan*, Applicants submit herewith a Declaration under 37 C.F.R. 1.131 indicating that the invention was conceived prior to the critical date of *Rangarajan*. The Declaration also shows that Applicants exercised diligence through the constructive reduction to practice of the invention. That is, the Applicants exercised diligence through the filing date of the application. Applicants respectfully assert that such showing renders the use of *Rangarajan* inapplicable for rejecting the pending claims and respectfully request that the rejection be removed.

With respect to *Brohoff*, that reference generally relates to a geographical database connected to a mobile radio network. Specifically, when a mobile station seeks to obtain information from the database by entering one or more search key words, the network determines the current geographical location of the mobile station within the network. However, there is no teaching or suggestion in *Chen* of obtaining the user's location by determining a cell with which the user is associated when the content is to be delivered to the user with other than a cell phone. This is in direct contrast to the limitations recited in Applicants' amended claims.

In this regard, claim 1 has been amended to recite:

1. An information system for use in providing information to a user via a communication network, said information system comprising:
 - a location-specific input system configured to communicate with a communication network, ***said location-specific input system being implemented with a portable computing device other than a cellular phone,*** said location-specific input system being further configured to:
 - receive an input from a user corresponding to a request for information from the communication network,
 - determine a location of the user by accessing information corresponding to a cellular communication cell within which the user is located, and
 - enable information corresponding to the input of the user and the location of the user to be provided to the communication network.

Applicants respectfully assert that each of the cited references is legally deficient for the purpose of anticipating claim 1. In particular, Applicants respectfully assert that the reference does not teach or otherwise disclose at least the features/limitations emphasized above in claim 1. Therefore, Applicants respectfully assert that claim 1 is in condition for allowance.

Since claims 3, 4, 6, 7 and 9 are dependent claims that incorporate all the features/limitations of claim 1, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability. By way of example, claim 6 recites:

6. The information system of claim 1, wherein the location of the user is determined by said location-specific input system ***retrieving information corresponding to a current cell with which a cell phone of the user is active.*** (Emphasis Added).

Applicants respectfully assert that the cited art is legally deficient for the purpose of anticipating claim 6, because the cited reference does not teach or otherwise disclose at least the additional features/limitations emphasized above in claim 6.

With respect to claim 10, that claim has been amended to recite:

10. An information system for use in providing information to a user via a communication network, said information system comprising:
 - a location-specific input system configured to communicate with a communication network, said location-specific input system being further configured to receive information via the communication network, determine a location of the user, and ***prevent information failing to correspond to the location of the user from being provided to the user;***
 - wherein said location-specific input system is implemented with a portable computing device other than a cell phone;*** and
 - wherein the location of the user is determined by retrieving information corresponding to a current cell with which the user is associated.***

(Emphasis Added).

Applicants respectfully assert that each of the cited references is legally deficient for the purpose of anticipating claim 10. In particular, Applicants respectfully assert that the reference does not teach or otherwise disclose at least the features/limitations emphasized above in claim 10. Therefore, Applicants respectfully assert that claim 10 is in condition for allowance.

Since claims 12 - 16 are dependent claims that incorporate all the features/limitations of claim 10, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

With respect to claim 17, that claim has been amended to recite:

17. A method for providing information to a user via a communication network, said method comprising:
 - providing a portable computing device other than a cell phone;***
 - receiving an input from a user via the portable computing device;
 - automatically determining a location of the user by retrieving information corresponding to a current cell phone cell with which the user is associated;*** and
 - enabling information corresponding to the input of the user and the location of the user to be provided to the communication network via the portable computing device.

(Emphasis Added).

Applicants respectfully assert that each of the cited references is legally deficient for the purpose of anticipating claim 17. In particular, Applicants respectfully assert that the reference does not teach or otherwise disclose at least the features/limitations emphasized above in claim 17. Therefore, Applicant respectfully asserts that claim 17 is in condition for allowance.

Since claims 18 and 19 are dependent claims that incorporate all the features/limitations of claim 17, Applicant respectfully asserts that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

Cited Art Made of Record

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 3/8/05.

Stephanie Riley
Signature